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SUBJECT: BANGLADESH RESPONSE TO PRESIDENTIAL TORTURE TASKER

Ref: State 70129

SUMMARY

1. Torture is the subject of national discussion in Bangladesh, which is seeking to reconcile a national commitment to human rights with the imperative to maintain law and order in the face of pressing threats, including active domestic and international terrorist and criminal organizations. Bangladesh's democratically elected government, voted into office in late 2008 in landmark free and fair elections, and the country's world class - and globally engaged - Non Governmental Organization sector represent opportunities for energetic and expanded USG engagement.

WHAT THE USG CAN DO

2. Post welcomes the prospect of resources to build capacity in the NGO sector as well as programs to strengthen the government's efforts to prevent torture by law enforcement and pursue allegations of torture. Recognizing the importance of recording torture and human rights abuses when they do occur, Post nonetheless believes USG objectives are best served by simultaneous robust engagement with the goal of prevention through training solutions channeled through both the government and NGO sectors.

ANTI-TORTURE EFFORTS

3. In response to reftel, Post provides the following brief overview of efforts to prevent and prosecute torture in Bangladesh:

--Constitutional prohibition: Torture is illegal under Bangladesh's Constitution. Article 35(5) reads: "No person shall be subjected to torture or to cruel, inhuman or degrading punishment or treatment."

--Signature of International Agreements: Bangladesh signed and ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) in October 1998.

--Proposal to strengthen anti-torture laws: on February 19, Saber Hossain Chowdhury, a Member of Parliament from the ruling Awami League party submitted a private member bill to incorporate the United Nations Convention against Torture into Bangladesh's domestic law. On July 15, Saber told Emboffs that he expects the bill to be tabled in Parliament during the upcoming September session.

--Non Governmental Organizations (NGOs) and Campaigns: Bangladesh boasts a vibrant NGO sector, including a number of organizations working on human rights. Adhikar (Bengali for "Rights") is campaigning for strengthened legislation preventing and punishing torture and for more robust action by the government to enforce existing laws. The Bangladesh Rehabilitation Centre for Trauma Victims (BRCT) aims to eradicate torture by providing training and capacity building to NGO activists and law enforcement officials alike.

COMMENT

14. Increased U.S. engagement on torture with Bangladesh, the world's 4th most populous Muslim nation, with close and friendly government-to-government and people-to-people ties with the U.S., represents potential for powerful multiplier effect. The democratically elected Government of Bangladesh and the country's vibrant NGO sector are particularly promising twin tracks for bilateral U.S. engagement on torture with resonance throughout the Muslim world.

Moriarty